



CITY PLANNING COMMISSION

April 2, 2003/Calendar No. 19

C 030194(A) ZMK

IN THE MATTER OF a modified application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for **an amendment of the Zoning Map, Section Nos. 16c and 16d,**

1. **eliminating from an R6 District a C2-3 District bounded by:**
 - a. 3rd Avenue, 14th Street, a line 100 feet southeasterly of 3rd Avenue, and 15th Street;
 - b. 3rd Avenue, 7th Street, a line 100 feet southeasterly of 3rd Avenue, and 12th Street;
 - c. a line 100 feet northwesterly of 4th Avenue, 11th Street, 4th Avenue, 9th Street, a line 150 feet southeasterly of 4th Avenue, and 13th Street, 4th Avenue, 14th Street, a line 150 feet southeasterly of 4th Avenue, and 15th Street;
 - d. a line 100 feet northwesterly of 4th Avenue, 7th Street, a line 160 feet northwesterly of 4th Avenue, a line midway between 7th Street and 6th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, 5th Street, a line 150 feet southeasterly of 4th Avenue, 7th Street, 4th Avenue, and 9th Street;
 - e. 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, and 3rd Street; and
 - f. a line 100 feet northwesterly of 7th Avenue, 9th Street, a line 100 feet southeasterly of 7th Avenue, and 15th Street;

2. **eliminating from an R6 District a C1-3 District bounded by :**
 - a. a line 150 feet northwesterly of 5th Avenue, 5th Street, 5th Avenue, 3rd Street, a line 150 feet northwesterly of 5th Avenue, a line midway between President Street and Union Street, a line 150 feet southeasterly of 5th Avenue, and 8th Street;
 - b. a line 100 feet northwesterly of 7th Avenue, 7th Street, a line 100 feet southeasterly of 7th Avenue, and 9th Street;
 - c. a line midway between 5th Street and 6th Street, a line 100 feet northwesterly of 7th Avenue, Carroll Street, 7th Avenue, a line midway between President Street and Carroll Street, a line 100 feet northwesterly of 7th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 7th Avenue, 4th Street, and 7th Avenue; and
 - d. a line midway between 13th Street and 14th Street, a line 100 feet northwesterly of 8th Avenue, a line midway between 10th Street and 11th Street, and 8th Avenue;

3. **changing from an R6 District to an R6B District property bounded by:**
 - a. a line 100 feet southeasterly of 3rd Avenue, a line midway between 13th Street and 14th Street, a line 200 feet southeasterly of 3rd Avenue, a line midway between 12th Street and 13th Street, a line 100 feet southeasterly of 3rd Avenue, a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 4th

- Avenue, 15th Street, a line 125 feet northwesterly of 4th Avenue, a line midway between 14th Street and 15th Street, a line 240 feet northwesterly of 4th Avenue, 14th Street, a line 260 feet northwesterly of 4th Avenue, a line midway between 14th Street and 15th Street, a line 310 feet northwesterly of 4th Avenue, and 15th Street;
- b. a line 100 feet southeasterly of 3rd Avenue, 7th Street, a line 360 feet southeasterly of 3rd Avenue, a line midway between 6th Street and 7th Street, a line 100 feet northwesterly of 4th Avenue, and a line midway between 8th Street and 9th Street;
- c. a line 100 feet southeasterly of 4th Avenue, a line midway between 9th Street and 10th Street, a line 200 feet northwesterly of 5th Avenue, and 15th Street;
- d. a line 100 feet southeasterly of 4th Avenue, 3rd Street, a line 150 feet southeasterly of 4th Avenue, President Street, a line 100 feet southeasterly of 4th Avenue, a line midway between President Street and Union Street, a line 100 feet northwesterly of 5th Avenue, 3rd Street, 5th Avenue, and 5th Street, a line 100 feet northwesterly of 5th Avenue, 8th Street, a line 200 feet northwesterly of 5th Avenue, and a line midway between 8th Street and 9th Street;
- e. a line 150 feet southeasterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 6th Avenue, a line midway between 8th Street and 9th Street, a line 150 feet southeasterly of 5th Avenue, 8th Street, a line 100 feet southeasterly of 5th Avenue, a line midway between President Street and Union Street, a line 100 feet northwesterly of 7th Avenue, and 15th Street;
- f. a line 100 feet southeasterly of 7th Avenue, 7th Street, a line 100 feet northwesterly of 8th Avenue, 9th Street, a line 100 feet southeasterly of 8th Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of Prospect Park West, a line 100 feet northerly of Bartel Prichard Square, and 15th Street; and
- g. a line 100 feet southeasterly of 7th Avenue, Carroll Street, Fiske Place, Garfield Place, a line 100 feet northwesterly of 8th Avenue, a line midway between 5th Street and 6th Street, a line 388 feet northwesterly of 8th Avenue, and 5th Street;
4. **changing from an R6 District to an R7B District property bounded by** a line 100 feet northwesterly of 8th Avenue, 7th Street, 8th Avenue, a line midway between 5th Street and 6th Street, a line 100 feet northwesterly of 8th Avenue, Garfield Place, Fiske Place, Carroll Street, a line 100 feet southeasterly of 7th Avenue, a line midway between President Street and Union Street, 8th Avenue, Union Street, a line 100 feet northwesterly of Prospect Park West, a line midway between 8th Street and 9th Street, a line 100 feet southeasterly of 8th Avenue, and 9th Street;
5. **changing from an R6 District to an R8A District property bounded by** a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 4th Avenue, President Street, a

line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, and 15th Street;

6. **changing from an R6 District to an R7A District property bounded by** 14th Street, a line 100 feet northwesterly of Prospect Park West, 1st Street, and Prospect Park West;
7. **changing from an R6 District to an R6A District property bounded by:**
 - a. 3rd Avenue, 14th Street, a line 100 feet southeasterly of 3rd Avenue, and 15th Street;
 - b. 3rd Avenue, 7th Street, a line 100 feet southeasterly of 3rd Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 4th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet southeasterly of 3rd Avenue, and 12th Street;
 - c. a line 100 feet southeasterly of 4th Avenue, a line midway between 8th Street and 9th Street, a line 200 feet northwesterly of 5th Avenue, and a line midway between 9th Street and 10th Street;
 - d. a line 150 feet southeasterly of 5th Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 6th Avenue, and a line midway between 9th Street and 10th Street;
 - e. a line 100 feet northwesterly of 5th Avenue, 5th Street, 5th Avenue, 3rd Street, a line 100 feet northwesterly of 5th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 5th Avenue, and 8th Street; and
 - f. a line 100 feet northwesterly of 7th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 7th Avenue, 5th Street, 7th Avenue, 7th Street, a line 100 feet southeasterly of 7th Avenue, and 15th Street;
8. **changing from an R7A District to an R8A District property bounded by** 4th Avenue, Douglass Street, a line 100 feet northwesterly of 4th Avenue, Warren Street, a line 100 feet southeasterly of 4th Avenue, and a line midway between President Street and Union Street;
9. **changing from an M1-2 District to a C8-2 District property bounded by** 3rd Avenue, 3rd Street, 4th Avenue, 6th Street, line 100 feet northwesterly of 4th Avenue, a line midway between 6th Street and 7th Street, a line 360 feet southeasterly of 3rd Avenue, and 7th Street;
10. **changing from an M1-2 District to an R6B District property bounded by** 15th Street, a line 310 feet northwesterly of 4th Avenue, a line midway between 14th Street and 15th Street, a line 260 feet northwesterly of 4th Avenue, 14th Street, a line 240 feet northwesterly of 4th Avenue, a line midway between 14th Street and 15th Street, and a line 125 feet northwesterly of 4th Avenue;
11. **changing from a C4-3 District to a C4-3A District property bounded by** a line 100 feet northwesterly of 5th Avenue, 8th Street, a line 100 feet southeasterly of 5th Avenue, 9th

Street, a line 150 feet southeasterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet southeasterly of 5th Avenue, and 15th Street;

12. **changing from a C4-3 District to an R6A District property bounded by:**
 - a. a line 200 feet northwesterly of 5th Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 5th Avenue, and a line midway between 9th Street and 10th Street; and
 - b. a line 100 feet southeasterly of 5th Avenue, a line midway between 8th Street and 9th Street, a line 150 feet southeasterly of 5th Avenue, and 9th Street;

13. **changing from a C4-3 District to an R6B District property bounded by:**
 - a. a line 200 feet northwesterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 5th Avenue, and 15th Street;
 - b. a line 200 feet northwesterly of 5th Avenue, 8th Street, a line 100 feet northwesterly of 5th Avenue, and a line midway between 8th Street and 9th Street;
 - c. a line 100 feet southeasterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 150 feet southeasterly of 5th Avenue, and 15th Street; and
 - d. a line 100 feet southeasterly of 5th Avenue, 8th Street, a line 150 feet southeasterly of 5th Avenue, and a line midway between 8th Street and 9th Street;

14. **establishing within a proposed R6A District a C2-4 District bounded by:**
 - a. 3rd Avenue, 14th Street, a line 100 feet southeasterly of 3rd Avenue, and 15th Street;
 - b. 3rd Avenue, 7th Street, a line 100 feet southeasterly of 3rd Avenue, and 12th Street;
 - c. a line 100 feet northwesterly of 7th Avenue, 9th Street, a line 100 feet southeasterly of 7th Avenue, and 15th Street;
 - d. a line 100 feet southeasterly of 4th Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 5th Avenue, and 9th Street; and
 - e. a line 100 feet southeasterly of 5th Avenue, a line midway between 8th Street and 9th Street, 6th Avenue, and 9th Street;

15. **establishing within a proposed R6A District a C1-4 District bounded by :**
 - a. a line 100 feet northwesterly of 5th Avenue, 5th Street, 5th Avenue, 3rd Street, a line 100 feet northwesterly of 5th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 5th Avenue, and 8th Street;
 - b. a line 100 feet northwesterly of 7th Avenue, 7th Street, a line 100 feet southeasterly of 7th Avenue, and 9th Street; and
 - c. a line midway between 5th Street and 6th Street, a line 100 feet northwesterly of 7th Avenue, 2nd Street, 7th Avenue, 1st Street, a line 100 feet northwesterly of 7th Avenue, Carroll Street, 7th Avenue, a line midway between President Street and Carroll Street, a line 100 feet northwesterly of 7th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 7th Avenue, 4th Street, and 7th Avenue;

16. **establishing within a proposed R8A District a C2-4 District bounded by:**
 - a. a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, a line 210 feet northeasterly of 5th Street, a line 100 feet southeasterly of 4th Avenue, and 7th Street, 4th Avenue, 9th Street, a line 100 feet southeasterly of 4th Avenue, and 13th Street, 4th Avenue, 14th Street, a line 100 feet southeasterly of 4th Avenue, and 15th Street; and
 - b. 4th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, and 3rd Street;
17. **establishing within a proposed R6B District a C1-4 District bounded by** a line midway between 13th Street and 14th Street, a line 100 feet northwesterly of 8th Avenue, a line midway between 10th Street and 11th Street, and 8th Avenue; and
18. **establishing within an R8B District a C2-4 District bounded by** a line 100 feet northerly of Bartel Prichard Square, a line 100 feet northwesterly of Prospect Park West, 14th Street, Prospect Park West, Bartel Prichard Square, and 15th Street;

as shown on a diagram (for illustrative purposes only) dated January 28, 2003 and subject to the conditions of CEQR Declaration E-113.

The application for an amendment of the Zoning Map (C 030194 ZMK) was filed by the Department of City Planning on November 7, 2002, to change R6, R7A, C1-3, C2-3, C4-3 and M1-2 districts to R6B, R6A, R7B, R7A, R8A, C1-4, C2-4, C4-3A and C8-2 within an area comprising 110 blocks bounded by a line midway between Union and President streets, Fourth Avenue, Third Avenue, 15th Street, and Prospect Park West. On January 28, 2003, pursuant to Section 2-06(c)(1) of the ULURP rules, the Department of City Planning filed a modification of the certified zoning map amendment application (C 030194(A) ZMK) for public hearing and consideration by the City Planning Commission. The application was modified at the request of members of Community Board 6 to maintain the low scale of Sixth Avenue at its intersection with Ninth Street by replacing the originally-proposed R6A zoning designation on the west side

of the Sixth Avenue and Ninth Street intersection with an R6B designation. The modified application, C 030194(A) ZMK, is the subject of this report.

BACKGROUND

Park Slope is one of Brooklyn's most prized brownstone neighborhoods. It is predominantly residential, characterized by late 19th and early 20th century rowhouses, many of architectural significance. The goals of the Park Slope zoning map amendments are to preserve the scale of this historic brownstone neighborhood and provide opportunities for expanded residential and commercial development on Fourth Avenue. The proposed zoning would replace the existing residential districts with contextual designations to preserve the scale and character of the residential side streets and neighborhood commercial streets by establishing appropriate bulk controls consistent with the existing built environment. The proposed zoning would provide opportunities for additional housing construction in the neighborhood by increasing the permitted density on Fourth Avenue.

The proposed zoning map amendments would replace the existing R6 designation with R6B and R7B contextual designations in midblock areas and on wide streets where rowhouses predominate; R6A along Third, Fifth, and Seventh avenues and a portion of Ninth Street; and R7A on Prospect Park West. Along Fourth Avenue, the proposal would replace the existing R6 and R7A zoning designations with an R8A designation. The proposed zoning map amendments would also replace C1-3 and C2-3 commercial overlays with C1-4 and C2-4 overlays, and

establish new commercial overlays to reflect existing land use. The proposal also includes replacing a C4-3 designation with C4-3A on Fifth Avenue, a portion of Fourth Avenue's M1-2 district with a C8-2 designation, and a midblock area zoned M1-2 with an R6B designation.

In 1994, the City Planning Commission and City Council approved amendments to the Zoning Map (C 900580 ZMK, Calendar No. 22) for the northern portion of the Park Slope neighborhood between Fourth Avenue, Flatbush Avenue and a line midway between Union and President streets introducing contextual zoning designations of R6B, R6A, R7B, R7A, R8A and R8X to protect the scale of that section of the neighborhood and promote new housing construction on Fourth Avenue. The current proposal extends these contextual zoning designations southward to 15th Street.

Neighborhood Characteristics

Park Slope was developed as a residential neighborhood in the late nineteenth and early twentieth centuries following the extension of trolley lines to the area from downtown Brooklyn, just a quarter mile to the northwest. The eastern boundary of the neighborhood is Prospect Park, a 526-acre regional park designed by landscape architects Frederick Law Olmsted and Calvert Vaux and constructed in 1873. Green-Wood Cemetery lies a few blocks south of the neighborhood, and the historic industrial area associated with the Gowanus Canal is a few blocks to the west. The rezoning area is bounded by a line midway between Union and President streets, Fourth Avenue, Third Avenue, 15th Street, and Prospect Park West.

The neighborhood's housing stock is predominantly comprised of rowhouses of two to five stories on narrow lots. Many of the rowhouses are in multi-family use, and larger apartment houses are also numerous, particularly in the northern part of the rezoning area near Prospect Park. According to the 2000 Census, the rezoning area is home to approximately 44,500 residents in 20,000 housing units. Approximately twenty percent of the rezoning area is within the boundaries of the Park Slope Historic District, which was designated in 1973 and encompasses 44 blocks both within the rezoning area and north of it.

Since the 1970s, Park Slope has experienced a resurgence and has become one of the most desirable residential neighborhoods in the City, resulting in private investment in housing stock and significant renovation. Despite the neighborhood's popularity, relatively few new housing units (approximately 325) were constructed within the rezoning area during the decade between 1992 and 2002, a modest 1.6 percent increase in the number of dwelling units.

The rezoning area is well served by public transportation. The M, N, R, and W train lines run beneath Fourth Avenue, and serve the proposed rezoning area with stations at Union Street, Ninth Street, and Prospect Avenue. The F train line runs east-west through the center of the neighborhood, with stations at the intersections of Fourth Avenue and Ninth Street; Seventh Avenue and Ninth Street; and Prospect Park West and 15th Street. In addition, the 2, 3 and Q train lines run along Flatbush Avenue, with stations within a five-minute walk from the northern portion of the rezoning area. Six bus lines serve the area – the B37 on Third Avenue, the B63 on

Fifth Avenue, the B67 on Seventh Avenue, the B69 on Eighth Avenue and Prospect Park West, the B71 on Union Street, and the B75 on Ninth Street.

Existing Zoning

The rezoning area is currently predominantly zoned R6 (101 of 110 blocks), with C1-3 and C2-3 commercial overlays on Third, Fourth, Fifth and Seventh avenues, and small areas zoned R7A, R8B, C4-3, and M1-2. Most zoning designations within the rezoning area have been in place since the current New York City Zoning Resolution was adopted in 1961.

R6

Residential and community facility uses are permitted in R6 zoning districts (Use Groups 1 - 4) with no height restrictions and a maximum floor area ratio (FAR) of 2.43 for residential uses and 4.8 for community facility uses. The R6 district regulations encourage development of residential towers on large lots and allow new development that could be out of scale or character with the existing historic brownstone neighborhood. R6 districts do not have provisions for new buildings to line up with adjacent buildings, allowing new construction to interrupt the rowhouse streetwall characteristic of historic residential neighborhoods in New York City. While the Park Slope Historic District provides some controls that encourage development consistent with the scale and character of the neighborhood, eighty percent of the proposed rezoning area is outside the historic district boundaries.

In the late 1980s, the Department of City Planning developed the optional Quality Housing program with height, setback and bulk regulations designed to produce a building form that is consistent with historic rowhouse neighborhoods. The Quality Housing program, which is optional in R6 districts, permits slightly denser development in exchange for height limits, streetwall line-up, restricted curb cuts and a variety of residential amenities. On narrow streets (less than 75 feet wide) in R6 districts, the Quality Housing program can be used to construct 2.2 FAR buildings with a maximum base height of 40 feet and a maximum building height of 50 feet. On wide streets in R6 districts, Quality Housing buildings of up to 3.0 FAR with a maximum base height of 60 feet and maximum building height of 70 feet are permitted.

R7A

The block frontages along Fourth Avenue between Warren and Union streets on the east and between Warren and Douglass streets on the west are zoned R7A, a contextual designation mandating the Quality Housing program. In R7A districts, residential and community facility buildings of up to 4.0 FAR with a maximum base height of 65 feet and a maximum building height of 80 feet are permitted. This area was rezoned from R6 to R7A as part of the 1994 rezoning of Park Slope between Fourth Avenue, Flatbush Avenue and a line midway between Union and President streets.

R8B

An area surrounding the Bartel Pritchard Square traffic circle at the southeastern corner of the rezoning area is zoned R8B, a contextual designation mandating the Quality Housing program. Residential and community facility uses of up to 4.0 FAR with a maximum base height of 60 feet and a maximum building height of 75 feet are permitted in R8B districts. This area was zoned to R8B in 1986.

Commercial Overlays – C1-3, C2-3, C2-4

There are C1-3, C2-3 and C2-4 commercial overlays for local retail and service uses mapped on Third, Fourth, Fifth and Seventh avenues. Residential, community facility and specified commercial uses are permitted within these commercial overlays. C1 districts are designed to provide for local shopping serving the immediately surrounding residences (Use Groups 1 - 6). C2 districts are intended to meet broader shopping and service needs than daily activities require, in addition to local shopping needs (Use Groups 1 - 9). Commercial buildings in C1 and C2 commercial districts have a maximum permitted FAR of 2.0. Residential, mixed residential/commercial, and community facility buildings in C1 and C2 commercial districts are regulated by the bulk regulations of the underlying residential districts. Commercial uses in mixed commercial and residential buildings in these districts cannot be located above the first floor.

Commercial overlays are mapped to a depth of 100 feet, with the exception of Fifth Avenue north of Eighth Street and the eastern side of Fourth Avenue where C1-3 and C2-3 overlays are mapped 150 feet deep, and the northwest corner of Seventh Street and Fourth Avenue where a C2-3 overlay is mapped to a depth of 160 feet.

Parking regulations for most permitted commercial uses in C1-3 and C2-3 districts mandate one off-street parking space for every 400 square feet of commercial floor area.

C4-3

Fifth Avenue between Eighth and 15th streets is located within an existing C4-3 district that extends 200 feet deep on the west side of the avenue and 150 feet deep on the east, although most commercial uses are located within 100 feet. C4 districts are general commercial districts intended for larger stores serving a wider area than the immediate neighborhood, in addition to surrounding residences (Use Groups 1 - 6, 8 - 10, and 12). Commercial uses in C4-3 districts have a maximum permitted FAR of 3.4. Residential and community facility buildings in C4-3 districts must comply with the R6 bulk requirements; the maximum FAR for residential uses is 2.43 under the standard R6 height factor regulations, or 3.0 under the optional Quality Housing program. The maximum FAR for community facility uses is 4.8. Second story commercial uses are permitted in mixed residential/ commercial buildings in C4-3 districts.

M1-2

An M1-2 light manufacturing district is located between Third and Seventh streets and Third and Fourth avenues. This area contains a mix of commercial, community facility, and warehouse uses. There is also a 20,000 square foot midblock M1-2 district located between Third and Fourth avenues and 14th and 15th streets. Residential uses and community facility uses with sleeping accommodations are not permitted in M1 districts, but commercial uses and a wide range of light manufacturing, warehousing, and auto service uses are permitted (Use Groups 4 - 14, 16 - 17). Many commercial uses are restricted to 10,000 square feet in M1-2 districts. M1-2 districts have a maximum permitted FAR of 2.0.

Proposed Zoning

The proposed action would extend the existing contextual zones with appropriate bulk controls southward from their present boundary midblock between Union and President streets to 15th Street in order to preserve the character of the neighborhood. The existing R6 district would be replaced with R6B or R7B in all midblock areas between Prospect Park West and Fourth Avenue and on avenues where rowhouses predominate; with R6A along Third, Fifth, and Seventh avenues and a portion of Ninth Street; and with R7A on Prospect Park West.

Along Fourth Avenue, the proposal would replace the existing R6 district south of Union Street and the existing R7A district north of Union Street with an R8A designation to promote apartment house construction of up to 12 stories, and replace an M1-2 district between Third and

Seventh streets and Third and Fourth avenues with a C8-2 district to allow a broader range of commercial uses. These districts would permit construction in an area now dominated by vacant land and underused sites.

Midblocks – R6B and R7B

- In midblock areas where four-story rowhouses predominate the existing R6 district would be replaced with an R6B designation. This area, which comprises over 58 percent of the rezoning area, includes most narrow street frontages as well as Third Street, Sixth Avenue, portions of Ninth Street and Eighth Avenue, and a 20,000 square foot midblock M1-2 district between 15th and 15th streets and Third and Fourth avenues. The R6B district regulations allow a maximum FAR of 2.0 for all permitted uses, and limit overall building height to 50 feet and streetwall base height to 40 feet. New developments in R6B districts are required to line up with adjacent structures to maintain existing streetwall characteristics. A minimum of 34 feet between curb cuts for existing buildings is required and curb cuts for new residential developments on lots less than 40 feet wide are prohibited, minimizing the potential for front yard parking.
- The midblocks between Prospect Park West, Union Street, Carroll Street and Eighth Avenue, where higher-density, five-story rowhouses predominate, are proposed to be rezoned from R6 to R7B. The R7B district regulations allow a maximum FAR of 3.0 for all permitted uses, and have a building height limit of 75 feet and a maximum base height of 60 feet. New

developments in R7B districts are required to line up with adjacent structures to maintain existing streetwall characteristics. A minimum of 34 feet between curb cuts for existing buildings is required and curb cuts for new residential developments on lots less than 40 feet wide are prohibited, minimizing the potential for front yard parking.

Third, Fifth and Seventh Avenues and part of Ninth Street – R6A and C4-3A

- Fifth and Seventh avenues are Park Slope's major shopping streets, characterized by four- to five-story buildings with consistent ground floor retail frontage. The existing R6 designation along Seventh Avenue between Union and 15th streets and Fifth Avenue between Union and Eighth streets would be replaced with an R6A designation. The R6A district regulations, when paired with a commercial overlay, as is proposed for much of this area, allow a maximum FAR of 3.0 for residential, mixed residential/commercial, and community facility buildings, with a maximum building height of 70 feet and a maximum base height of 60 feet. There would be no change in permitted uses other than the minor changes to commercial overlays described below.
- Ninth Street between Third and Sixth avenues is characterized by a mixture of four- to five-story rowhouses and prominent community facility buildings. The originally-certified application (C 030194 ZMK) would have replaced the existing R6 designation in this area with an R6A designation. The application was modified at the request of members of Community Board 6 to maintain the low scale of Sixth Avenue at its intersection with Ninth Street. The modified application would replace the existing R6 designation with an R6A

designation along Ninth Street between Third Avenue and 100 feet west of Sixth Avenue and would replace the existing R6 designation with an R6B designation on the west side of the Sixth Avenue and Ninth Street intersection to a depth of 100 feet from Sixth Avenue. There would be no change in permitted uses other than those associated with changes to commercial overlays described below.

- The eastern block fronts of Third Avenue between Seventh and 15th streets are characterized by mixed residential and commercial uses in three- to four-story mixed residential/commercial buildings and by auto-oriented commercial uses. Because Third Avenue is a wide street, residential development in this area has a maximum FAR of 3.0 in the existing R6 district under the optional Quality Housing option. An R6A district is proposed for this area, maintaining the 3.0 maximum FAR and mandating the Quality Housing program.
- The C4-3 district on Fifth Avenue between Eighth and 15th streets would be replaced by a contextual C4-3A district. C4-3A is a commercial equivalent of R6A with a maximum FAR of 3.0 for commercial, residential and community facility uses, and a maximum building height of 70 feet and maximum base height of 60 feet. This district would also be narrowed to a 100 foot depth consistent with existing land use. There would be no change in permitted uses or in the allowed locations for commercial uses in mixed residential/commercial buildings.

Prospect Park West – R7A

Along Prospect Park West between First and 14th streets the existing R6 designation would be replaced with an R7A designation. This street contains a mix of rowhouses and mid-rise apartment houses facing Prospect Park. The R7A regulations allow a maximum FAR of 4.0 for all permitted uses, with a maximum building height of 80 feet and a maximum base height of 65 feet.

Fourth Avenue – R8A and C8-2

- Fourth Avenue presents opportunities for residential and commercial redevelopment. Along Fourth Avenue, the proposed zoning map amendments would replace the R7A district between Warren and Union streets and the R6 district between Union and 15th streets with an R8A designation. R8A district regulations allow a maximum FAR of 6.5 for community facility uses and a maximum FAR of 6.02 for residential and mixed residential/commercial uses where there are commercial overlays. R8A regulations permit a maximum building height of 120 feet and a maximum base height of 85 feet. The zoning map change from R7A and R6 (4.0 and 3.0 FAR respectively) to R8A (6.02 FAR) increases the permitted density to promote housing construction on vacant and underused sites on this wide avenue (120 feet) with excellent mass transit access.
- The blocks bounded by Third and Fourth avenues and Third and Seventh streets contain predominantly auto-oriented commercial uses and no manufacturing uses. In this area, the existing M1-2 designation (allowing Use Groups 4-14, 16-17) would be replaced by a C8-2

designation to reflect the existing land uses. C8-2 zoning districts are general service commercial districts designed to provide necessary services for a wider area (Use Groups 4 - 16 and 18). No residential uses or community facility uses with sleeping accommodations are permitted in either M1-2 or C8-2 districts. Since there are currently no Use Group 17 manufacturing uses in this area, all existing uses would remain conforming under the proposed C8-2 district. C8-2 districts have a maximum FAR of 2.0.

Commercial Overlays

- C1 and C2 commercial overlays are proposed where ground floor retail uses already predominate, including on Seventh, Fifth, Fourth and Third avenues and the north side of Ninth Street between Fourth and Sixth avenues. Commercial uses in C1 and C2 districts have a maximum FAR of 2.0. Residential, mixed residential/commercial, and community facility buildings in C1 and C2 commercial districts are regulated by the bulk regulations of the underlying residential district. Commercial uses in mixed residential/commercial buildings in C1 and C2 districts cannot be located above the first floor. Commercial overlays are not currently mapped on the sites of most large community facility buildings such as schools and churches within the rezoning area. Consistent with this existing pattern of commercial overlays in the neighborhood, overlays would be removed in two locations on Seventh Avenue that are the sites of large community facility buildings.
- All commercial districts and overlays that are currently mapped over 100 feet deep (Fifth Avenue and parts of Fourth Avenue) would be narrowed to 100 feet to prevent commercial

use on the residential side streets. On the east side of Fourth Avenue between President and Third streets, where lot sizes exceed the typical 100 foot depth, and the southeastern corner of Fifth Avenue and Ninth Street, where there are existing second story commercial uses in mixed residential/commercial buildings, the commercial district would remain 150 feet deep consistent with existing commercial uses.

- All existing C1-3 and C2-3 commercial overlays would be replaced with C1-4 and C2-4 overlays to reduce the parking requirements for most commercial uses from one off-street parking space for every 400 square feet of commercial floor area to one space per 1,000 square feet.

Methodist Hospital

The campus of New York Methodist Hospital is located on one and three-quarters blocks between Seventh and Eighth avenues and Fifth and Seventh streets, covering all of Block 995 and the southwestern three-quarters of Block 989. This area would remain in an R6 district, since the hospital has developed most of its property pursuant to existing regulations for community facility uses and may need the greater flexibility of the existing R6 zone in order to make necessary improvements in the future.

ENVIRONMENTAL REVIEW

The original application (C 030194 ZMK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City

Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 03DCP030K. The lead is the City Planning Commission.

After a study of the potential environmental impact of the original application (C 030194 ZMK), a Negative Declaration was issued on November 18, 2002 which includes (E) designations (E-113) for hazardous materials on the following parcels:

Block 958, Lots 1, 2, 4, 5, 7
Block 961, Lots 1, 2, 3, 7, 67, 69
Block 964, Lots 1, 6, 7
Block 969, Lot 1
Block 974, Lots 6, 12, 15, 68, 72, 73
Block 981, Lot 101
Block 987, Lot 1
Block 992, Lot 38
Block 993, Lots 6, 7, 10
Block 1003, Lots 29, 32, 33, 34, 35, 36, 38
Block 1027, Lots 35, 40, 41, 42, 43, 44, 45
Block 1040, Lots 29, 53, 55, 58, 59
Block 1041, Lot 1

The potential impact of the modified application (C 030194(A) ZMK) was considered in a Technical Memorandum dated February 26, 2003. The Technical Memorandum concluded that the modified application would not result in significant, adverse environmental impacts and that the Negative Declaration issued on November 18, 2002 remained valid.

UNIFORM LAND USE REVIEW

The original application (C 030194 ZMK) was certified as complete by the Department of City Planning on November 18, 2002, and was duly referred to Community Board 6 and the Borough

President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules. The modified application (C 030194(A) ZMK) was referred to the community board on February 10, 2003, pursuant to Section 2-06(c)(1) of the ULURP rules.

Community Board Public Hearing

Community Board 6 held a public hearing on the original application (C 030194 ZMK) on December 19, 2002, and on January 8, 2003, by a vote of 32 to 4 with 1 abstention, adopted a resolution recommending approval of the application.

Borough President Recommendation

The original application (C 030194 ZMK) was considered by the Borough President, who issued a recommendation on February 12, 2003 approving the application with the following condition:

that the proposed R8A zone on Fourth Avenue, north of President Street and South [sic] of Fifth Street, be zoned R7A...

- 1) The City Planning Commission and City Council to adopt a zoning text amendment that restricts R8A as-of-right development in the area along Fourth Avenue, between Baltic and 15th Streets, to R7A bulk standards, except that for each square foot of building set aside for affordable housing, an additional square foot of unrestricted housing may be provided according to R8A minimum and maximum bulk standards; and
- 2) The Department of City Planning to evaluate the frontages along the west side of Fourth Avenue between Sackett and 5th Streets for residential rezoning.

City Planning Commission Public Hearing

On February 19, 2003 (Calendar Nos. 3 and 4), the City Planning Commission scheduled March 5, 2003, for a public hearing on the original application (C 030194 ZMK) and the modified

application (C 030194(A) ZMK), respectively. The hearings were duly held on March 5, 2003 (Calendar Nos. 9 and 10, respectively). There were 12 speakers in favor of the modified application, three speakers in opposition, and two speakers who indicated "mixed opinion."

The speakers in favor included the Chair of Community Board 6, the District Manager of Community Board 6, the Land Use Committee Co-Chairs of Community Board 6, the President of the Park Slope Civic Council, a representative of the Assemblymember from the 44th State Assembly District, the Chair of the Zoning Committee of the American Planning Association's New York Metro Chapter, the Director of Planning Issues for the Municipal Arts Society, a representative of the Real Estate Board of New York, a representative of the Historic Districts Council, and the Director of the Fifth Avenue Committee. Speakers in opposition included a representative of the Borough President. The speaker who indicated a "mixed opinion" was the Councilmember from the 39th City Council District. The Councilmember from the 33rd City Council District did not sign up to speak, but addressed the Commission together with the Councilmember from the 39th City Council District.

Speakers representing the Community Board noted the importance of preserving the historic scale and character of the neighborhood in conjunction with providing increased opportunities for new housing development on Fourth Avenue. The Chair of Community Board 6 stated that the proposed rezoning offers the neighborhood both the protections of contextual zoning and the possibility of new residential development on Fourth Avenue. He noted that Fourth Avenue is particularly appropriate for additional housing development due to its transit access and 120-foot

width. One co-chair of the Land Use Committee described the need for the rezoning as critical and urgent to maintain the integrity and character of a neighborhood that has long strived for excellence in maintaining its housing stock. The second co-chair of the Land Use Committee expressed support for the modification to the application replacing an R6A designation proposed for the western side of Sixth Avenue at its intersection with Ninth Street with an R6B designation to preserve the low-rise scale of this corner. Members of the Community Board also noted their strong support for the development of affordable housing in Park Slope, and the need for both the public and private sectors to address this need. Members stated, however, that the issue of affordable housing should not be addressed through this zoning proposal but by increased subsidies and increasing the overall supply of housing.

Two members of the Park Slope Civic Council expressed support and stated their concern that an attempt to modify the proposal to incorporate an affordable housing bonus would delay the neighborhood protections long advocated by the group. The representative of the Municipal Arts Society commended the thoughtful application of contextual zoning designations and the increased opportunities for new development at locations where there is easy access to the transit hub at Atlantic Avenue. This speaker, together with the Chair of the Zoning Committee of the American Planning Association's New York Metro Chapter applauded the City's attempts to make zoning more fine-grained in residential neighborhoods with block-by-block analysis of appropriate bulk regulations. The representative of the Real Estate Board of New York expressed strong support for increasing permitted densities on Fourth Avenue and contended that

all Department of City Planning rezonings should consider increasing development opportunities for housing.

One speaker in favor, one in opposition, and one who indicated “mixed opinion” stated that they favor the preservation component of the proposed rezoning, and most supported encouraging development on Fourth Avenue. The Councilmember from the 39th City Council District, the Councilmember from the 33rd City Council District, a representative of the Borough President, and the Director of the Fifth Avenue Committee argued that affordable housing is a critical need that the rezoning proposal does not address. Each argued that a significant proportion of the new housing constructed on Fourth Avenue should be affordable and advocated creating a new zoning density bonus program for this area. These speakers proposed an R7A zoning designation for Fourth Avenue rather than the proposed R8A designation limiting as-of-right development to 4.0 FAR and 8 stories, and recommended creating a new zoning density bonus program that would allow development of up to 6.02 FAR and 12 stories where each square foot of affordable housing would allow an additional square foot of market-rate housing. The representative of the Borough President argued that the eastern block frontages of Fourth Avenue between President and Fifth streets should be zoned R8A as proposed to capture the full development potential of several sites assembled for development.

Two speakers in opposition to the plan questioned the effect that 12 story buildings on Fourth Avenue would have on the adjacent midblocks.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

The original application (C 030194 ZMK) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 02-073. The modification to the application (C 030194(A) ZMK) did not trigger further review.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this amendment of the Zoning Map is appropriate, recognizing that this action will both preserve the historic Park Slope neighborhood and promote construction of much-needed new housing on Fourth Avenue. Further, the Commission believes that the modification to the certified zoning map amendments is appropriate to protect the low-scale character of Sixth Avenue at the intersection with Ninth Street, the site of the landmarked Park Slope Branch of the Brooklyn Public Library.

Park Slope is one of the City's cherished historic neighborhoods due in large part to the integrity, character, quality and scale of the brownstone housing stock. The neighborhood is in the midst of a sustained resurgence that is now accompanied by development pressure. Under the existing zoning, development permitted on infill sites could be out-of-scale with surrounding buildings, set back farther than adjacent structures thereby breaking the uniform streetwall, or have curb cuts and front yard parking that restrict on-street parking and are inconsistent with the neighborhood's character.

The proposed zoning map amendments would preserve the scale and character of the residential side streets and neighborhood commercial streets by replacing the existing residential districts with contextual designations that impose appropriate height limits, streetwall lineup provisions, and tighter restrictions on curb cuts and front yard parking. The proposed zoning carefully balances regulations that control the bulk and height of new construction in the midblocks and neighborhood commercial streets with an increase in permitted density to encourage new development on Fourth Avenue in order to meet the demand for new housing.

The proposed zoning map amendments would replace the existing R6 district with an R6B contextual designation in midblock areas and on wide streets where four-story rowhouses predominate. An R6B zoning designation is proposed for over 58 percent of the rezoning area including most narrow street frontages, Third Street, Sixth Avenue, portions of Ninth Street and Eighth Avenue, and a 20,000 square foot midblock M1-2 district between 14th and 15th streets and Third and Fourth avenues. In the areas zoned R6B, building heights would be limited to 50

feet and FAR limited to 2.0. New construction of both residential and community facility uses would be required to line up with existing adjacent structures and to set back after 40 feet.

An R7B zoning designation would replace the existing R6 district in the northeastern portion of the rezoning area, where higher-density, five-story rowhouses predominate. The R7B designation would permit new buildings for residential and community facility uses of up to 3.0 FAR, with a maximum building height of 75 feet and a maximum streetwall base height of 60 feet before stepping back for light and air.

On the neighborhood commercial streets of Third, Fifth, and Seventh avenues and a portion of Ninth Street, where the typical building form is a four- to six-story residential building with ground floor retail, the proposal would replace the existing R6 zoning with R6A. This would permit new construction of residential and community facility buildings of up to 3.0 FAR with a maximum building height of 70 feet and a maximum streetwall base height of 60 feet. Where the R6A district is paired with a commercial overlay, ground floor commercial uses in mixed commercial/residential buildings subject to R6A height and bulk regulations and commercial buildings of up to 2.0 FAR will be permitted. The existing C4-3 district on Fifth Avenue between Eighth and 15th streets would be replaced by a C4-3A designation, the commercial equivalent of R6A with the same height and density regulations, and this area would be narrowed to a depth of 100 feet to prevent commercial use in residential midblocks.

Prospect Park West between First and 14th streets contains a mix of rowhouses and six- to seven-story apartment houses overlooking Prospect Park. In this area, an R7A designation would replace the existing R6 district allowing buildings housing residential and community facility uses to be constructed to a density of up to 4.0 FAR, with a maximum building height of 80 feet and maximum streetwall base height of 65 feet.

Fourth Avenue, a wide thoroughfare with excellent transit access and numerous vacant and under-used sites is not zoned to the density that it could accommodate. Along Fourth Avenue, the proposal would replace the existing R6 (3.0 FAR) and R7A (4.0 FAR) residential districts with an R8A designation to promote apartment house construction of up to 12 stories (6.02 FAR). Fourth Avenue is 120 feet wide, providing sufficient light and air for apartment buildings of up to 12 stories, and has excellent transit access with five subway lines and five bus lines within three blocks. The Fourth Avenue corridor could accommodate greater residential density than is currently permitted under the R6 and R7A zoning designations, and the proposed R8A designation would increase the supply of critically-needed housing to meet the needs of the City's population.

The M1-2 designation between Third and Fourth avenues and Third and Seventh streets would be replaced with a C8-2 designation to reflect the existing mix of commercial, auto-repair, warehouse and community facility uses. The C8-2 designation would lift the 10,000 square foot maximum for certain types of retail development imposed by the existing M1-2 designation and broaden the range of commercial uses permitted.

The proposal would replace C1-3 and C2-3 commercial overlays with C1-4 and C2-4 overlays, respectively, to reduce the parking requirements for most commercial uses from one off-street parking space for every 400 square feet of commercial floor area to one space per 1,000 square feet. Commercial overlays that are currently mapped to more than 100 feet from Fifth Avenue and parts of Fourth Avenue would be narrowed to 100 feet to prevent commercial use on the residential side streets, except on the east side of Fourth Avenue between President and Third streets where there are several lots over 100 feet deep. Most commercial uses within the commercial overlays currently provide little or no parking and do not extend more than 100 feet from the commercial street. The proposal would map new commercial overlays where non-conforming ground floor commercial uses predominate on the northern side of 9th Street between Fourth and Sixth avenues, portions of four Fourth Avenue block frontages, and the northwestern corner of Bartel Pritchard Square to bring these uses into conformance with zoning.

The application was modified at the request of members of Community Board 6 to maintain the low scale of Sixth Avenue at its intersection with Ninth Street by replacing the originally-proposed R6A zoning designation on the west side of the Sixth Avenue and Ninth Street intersection with an R6B designation consistent with the R6B designation originally proposed for all other Sixth Avenue block fronts. An R6B designation would limit building heights to 50 feet, consistent with the existing built environment of Sixth Avenue between Union and 15th streets. Ninth Street between Third Avenue and 100 feet west of Sixth Avenue would be rezoned from R6 to R6A, allowing new buildings of up to 70 feet tall, consistent with several tall community facility buildings in this area.

In response to the comments made by the Borough President, Councilmembers and others regarding affordable housing, the Commission notes that the Department of City Planning is working with the Department of Housing Preservation and Development and the Housing Development Corporation to implement the Mayor's New Marketplace housing plan. The New Marketplace plan pledges to invest \$3 billion in public monies for affordable housing development, identifies appropriate areas for new housing construction such as Fourth Avenue to increase housing supply, and targets city subsidy resources for affordable housing on privately-owned land. To further this, housing forums will be scheduled to promote the use of existing housing programs in Park Slope.

The Commission notes that the density bonus for affordable housing proposed by local elected officials and a local housing advocacy organization would require a reduction in the permitted density and height on Fourth Avenue from up to 6.02 FAR and 120 feet proposed by the Department of City Planning to 4.0 FAR and 80 feet, and the subsequent establishment of a new affordable housing program that would permit a density bonus for R7A zoning districts in exchange for providing affordable housing. This new program, if developed, would require a text change to the Zoning Resolution that is beyond the scope of the current proposal. The Commission believes that the proposed zoning map changes promote the construction of critically-needed new housing at appropriate densities on Fourth Avenue, and that reducing the permitted density on Fourth Avenue as suggested by the Borough President, Councilmembers and others would result in the development of at least a third fewer housing units. The City

Planning Commission believes that the proposed increase in apartment house construction along Fourth Avenue is a critical step in addressing the strong demand for housing in Park Slope by increasing housing supply, and thereby reducing the upward pressure on rents and sales prices for existing housing.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 16c and 16d,

1. **eliminating from an R6 District a C2-3 District bounded by:**
 - a. 3rd Avenue, 14th Street, a line 100 feet southeasterly of 3rd Avenue, and 15th Street;
 - b. 3rd Avenue, 7th Street, a line 100 feet southeasterly of 3rd Avenue, and 12th Street;
 - c. a line 100 feet northwesterly of 4th Avenue, 11th Street, 4th Avenue, 9th Street, a line 150 feet southeasterly of 4th Avenue, and 13th Street, 4th Avenue, 14th Street, a line 150 feet southeasterly of 4th Avenue, and 15th Street;

- d. a line 100 feet northwesterly of 4th Avenue, 7th Street, a line 160 feet northwesterly of 4th Avenue, a line midway between 7th Street and 6th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, 5th Street, a line 150 feet southeasterly of 4th Avenue, 7th Street, 4th Avenue, and 9th Street;
- e. 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, and 3rd Street; and
- f. a line 100 feet northwesterly of 7th Avenue, 9th Street, a line 100 feet southeasterly of 7th Avenue, and 15th Street;

2. **eliminating from an R6 District a C1-3 District bounded by :**

- a. a line 150 feet northwesterly of 5th Avenue, 5th Street, 5th Avenue, 3rd Street, a line 150 feet northwesterly of 5th Avenue, a line midway between President Street and Union Street, a line 150 feet southeasterly of 5th Avenue, and 8th Street;
- b. a line 100 feet northwesterly of 7th Avenue, 7th Street, a line 100 feet southeasterly of 7th Avenue, and 9th Street;
- c. a line midway between 5th Street and 6th Street, a line 100 feet northwesterly of 7th Avenue, Carroll Street, 7th Avenue, a line midway between President Street and Carroll Street, a line 100 feet northwesterly of 7th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 7th Avenue, 4th Street, and 7th Avenue; and
- d. a line midway between 13th Street and 14th Street, a line 100 feet northwesterly of 8th Avenue, a line midway between 10th Street and 11th Street, and 8th Avenue;

3. **changing from an R6 District to an R6B District property bounded by:**

- a. a line 100 feet southeasterly of 3rd Avenue, a line midway between 13th Street and 14th Street, a line 200 feet southeasterly of 3rd Avenue, a line midway between 12th Street and 13th Street, a line 100 feet southeasterly of 3rd Avenue, a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 4th Avenue, 15th Street, a line 125 feet northwesterly of 4th Avenue, a line midway between 14th Street and 15th Street, a line 240 feet northwesterly of 4th Avenue, 14th Street, a line 260 feet northwesterly of 4th Avenue, a line midway between 14th Street and 15th Street, a line 310 feet northwesterly of 4th Avenue, and 15th Street;
- b. a line 100 feet southeasterly of 3rd Avenue, 7th Street, a line 360 feet southeasterly of 3rd Avenue, a line midway between 6th Street and 7th Street, a line 100 feet northwesterly of 4th Avenue, and a line midway between 8th Street and 9th Street;
- c. a line 100 feet southeasterly of 4th Avenue, a line midway between 9th Street and 10th Street, a line 200 feet northwesterly of 5th Avenue, and 15th Street;
- d. a line 100 feet southeasterly of 4th Avenue, 3rd Street, a line 150 feet southeasterly of 4th Avenue, President Street, a line 100 feet southeasterly of 4th Avenue, a line midway between President Street and Union Street, a line 100 feet northwesterly of 5th Avenue, 3rd Street, 5th Avenue, and 5th Street, a line 100

- feet northwesterly of 5th Avenue, 8th Street, a line 200 feet northwesterly of 5th Avenue, and a line midway between 8th Street and 9th Street;
- e. a line 150 feet southeasterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 6th Avenue, a line midway between 8th Street and 9th Street, a line 150 feet southeasterly of 5th Avenue, 8th Street, a line 100 feet southeasterly of 5th Avenue, a line midway between President Street and Union Street, a line 100 feet northwesterly of 7th Avenue, and 15th Street;
 - f. a line 100 feet southeasterly of 7th Avenue, 7th Street, a line 100 feet northwesterly of 8th Avenue, 9th Street, a line 100 feet southeasterly of 8th Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of Prospect Park West, a line 100 feet northerly of Bartel Prichard Square, and 15th Street; and
 - g. a line 100 feet southeasterly of 7th Avenue, Carroll Street, Fiske Place, Garfield Place, a line 100 feet northwesterly of 8th Avenue, a line midway between 5th Street and 6th Street, a line 388 feet northwesterly of 8th Avenue, and 5th Street;
4. **changing from an R6 District to an R7B District property bounded by** a line 100 feet northwesterly of 8th Avenue, 7th Street, 8th Avenue, a line midway between 5th Street and 6th Street, a line 100 feet northwesterly of 8th Avenue, Garfield Place, Fiske Place, Carroll Street, a line 100 feet southeasterly of 7th Avenue, a line midway between President Street and Union Street, 8th Avenue, Union Street, a line 100 feet northwesterly of Prospect Park West, a line midway between 8th Street and 9th Street, a line 100 feet southeasterly of 8th Avenue, and 9th Street;
 5. **changing from an R6 District to an R8A District property bounded by** a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, and 15th Street;
 6. **changing from an R6 District to an R7A District property bounded by** 14th Street, a line 100 feet northwesterly of Prospect Park West, 1st Street, and Prospect Park West;
 7. **changing from an R6 District to an R6A District property bounded by:**
 - a. 3rd Avenue, 14th Street, a line 100 feet southeasterly of 3rd Avenue, and 15th Street;
 - b. 3rd Avenue, 7th Street, a line 100 feet southeasterly of 3rd Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 4th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet southeasterly of 3rd Avenue, and 12th Street;
 - c. a line 100 feet southeasterly of 4th Avenue, a line midway between 8th Street and 9th Street, a line 200 feet northwesterly of 5th Avenue, and a line midway between 9th Street and 10th Street;

- d. a line 150 feet southeasterly of 5th Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 6th Avenue, and a line midway between 9th Street and 10th Street;
 - e. a line 100 feet northwesterly of 5th Avenue, 5th Street, 5th Avenue, 3rd Street, a line 100 feet northwesterly of 5th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 5th Avenue, and 8th Street; and
 - f. a line 100 feet northwesterly of 7th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 7th Avenue, 5th Street, 7th Avenue, 7th Street, a line 100 feet southeasterly of 7th Avenue, and 15th Street;
8. **changing from an R7A District to an R8A District property bounded by** 4th Avenue, Douglass Street, a line 100 feet northwesterly of 4th Avenue, Warren Street, a line 100 feet southeasterly of 4th Avenue, and a line midway between President Street and Union Street;
 9. **changing from an M1-2 District to a C8-2 District property bounded by** 3rd Avenue, 3rd Street, 4th Avenue, 6th Street, line 100 feet northwesterly of 4th Avenue, a line midway between 6th Street and 7th Street, a line 360 feet southeasterly of 3rd Avenue, and 7th Street;
 10. **changing from an M1-2 District to an R6B District property bounded by** 15th Street, a line 310 feet northwesterly of 4th Avenue, a line midway between 14th Street and 15th Street, a line 260 feet northwesterly of 4th Avenue, 14th Street, a line 240 feet northwesterly of 4th Avenue, a line midway between 14th Street and 15th Street, and a line 125 feet northwesterly of 4th Avenue;
 11. **changing from a C4-3 District to a C4-3A District property bounded by** a line 100 feet northwesterly of 5th Avenue, 8th Street, a line 100 feet southeasterly of 5th Avenue, 9th Street, a line 150 feet southeasterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet southeasterly of 5th Avenue, and 15th Street;
 12. **changing from a C4-3 District to an R6A District property bounded by:**
 - a. a line 200 feet northwesterly of 5th Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 5th Avenue, and a line midway between 9th Street and 10th Street; and
 - b. a line 100 feet southeasterly of 5th Avenue, a line midway between 8th Street and 9th Street, a line 150 feet southeasterly of 5th Avenue, and 9th Street;
 13. **changing from a C4-3 District to an R6B District property bounded by:**
 - a. a line 200 feet northwesterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 100 feet northwesterly of 5th Avenue, and 15th Street;
 - b. a line 200 feet northwesterly of 5th Avenue, 8th Street, a line 100 feet northwesterly of 5th Avenue, and a line midway between 8th Street and 9th Street;

- c. a line 100 feet southeasterly of 5th Avenue, a line midway between 9th Street and 10th Street, a line 150 feet southeasterly of 5th Avenue, and 15th Street; and
 - d. a line 100 feet southeasterly of 5th Avenue, 8th Street, a line 150 feet southeasterly of 5th Avenue, and a line midway between 8th Street and 9th Street;
14. **establishing within a proposed R6A District a C2-4 District bounded by:**
- a. 3rd Avenue, 14th Street, a line 100 feet southeasterly of 3rd Avenue, and 15th Street;
 - b. 3rd Avenue, 7th Street, a line 100 feet southeasterly of 3rd Avenue, and 12th Street;
 - c. a line 100 feet northwesterly of 7th Avenue, 9th Street, a line 100 feet southeasterly of 7th Avenue, and 15th Street;
 - d. a line 100 feet southeasterly of 4th Avenue, a line midway between 8th Street and 9th Street, a line 100 feet northwesterly of 5th Avenue, and 9th Street; and
 - e. a line 100 feet southeasterly of 5th Avenue, a line midway between 8th Street and 9th Street, 6th Avenue, and 9th Street;
15. **establishing within a proposed R6A District a C1-4 District bounded by :**
- a. a line 100 feet northwesterly of 5th Avenue, 5th Street, 5th Avenue, 3rd Street, a line 100 feet northwesterly of 5th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 5th Avenue, and 8th Street;
 - b. a line 100 feet northwesterly of 7th Avenue, 7th Street, a line 100 feet southeasterly of 7th Avenue, and 9th Street; and
 - c. a line midway between 5th Street and 6th Street, a line 100 feet northwesterly of 7th Avenue, 2nd Street, 7th Avenue, 1st Street, a line 100 feet northwesterly of 7th Avenue, Carroll Street, 7th Avenue, a line midway between President Street and Carroll Street, a line 100 feet northwesterly of 7th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 7th Avenue, 4th Street, and 7th Avenue;
16. **establishing within a proposed R8A District a C2-4 District bounded by:**
- a. a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, a line 210 feet northeasterly of 5th Street, a line 100 feet southeasterly of 4th Avenue, and 7th Street, 4th Avenue, 9th Street, a line 100 feet southeasterly of 4th Avenue, and 13th Street, 4th Avenue, 14th Street, a line 100 feet southeasterly of 4th Avenue, and 15th Street; and
 - b. 4th Avenue, a line midway between President Street and Union Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, and 3rd Street;
17. **establishing within a proposed R6B District a C1-4 District bounded by** a line midway between 13th Street and 14th Street, a line 100 feet northwesterly of 8th Avenue, a line midway between 10th Street and 11th Street, and 8th Avenue; and

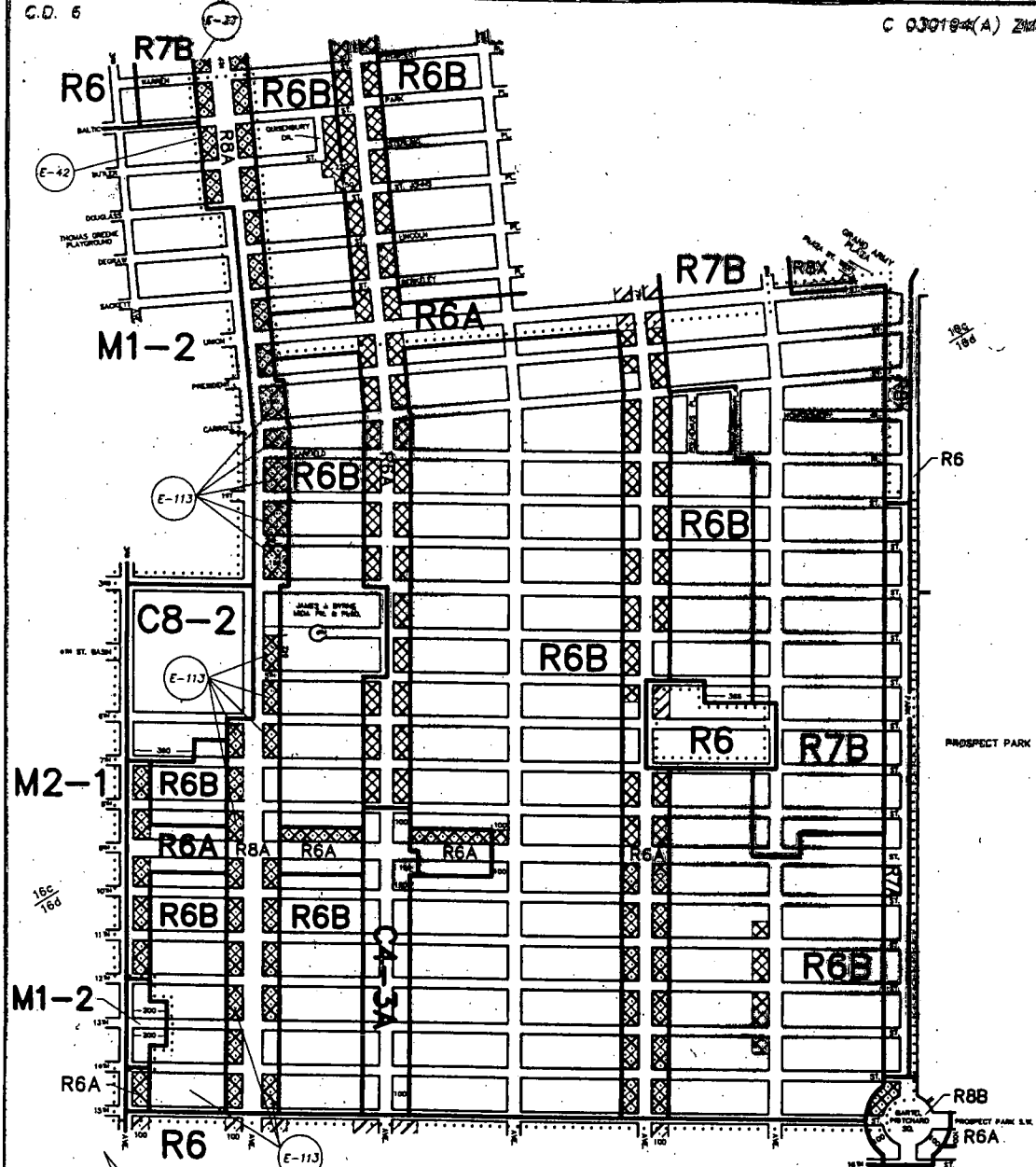
18. **establishing within an R8B District a C2-4 District bounded by** a line 100 feet northerly of Bartel Prichard Square, a line 100 feet northwesterly of Prospect Park West, 14th Street, Prospect Park West, Bartel Prichard Square, and 15th Street;

as shown on a diagram (for illustrative purposes only) dated January 28, 2003 and subject to the conditions of CEQR Declaration E-113.

The above resolution (C 030194(A) ZMK), duly adopted by the City Planning Commission on April 2, 2003 (Calendar No. 19), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair
KENNETH KNUCKLES, ESQ., Vice-Chairman
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,
ANGELA CAVALUZZI, R.A., RICHARD EADDY,
ALEXANDER GARVIN, JANE D. GOL, JOHN MEROLO,
JOSEPH B. ROSE, DOLLY WILLIAMS, Commissioners

WILLIAM J. GRINKER, KAREN A. PHILLIPS, Commissioners, Voted No

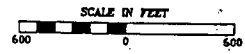


CITY PLANNING COMMISSION
CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAPS
16c & 16d
BOROUGH OF
BROOKLYN

Weyager
Director of Technical Review

New York, Filing Date
JANUARY 28, 2003



NOTE:

- Indicates Zoning District boundary.
- The area enclosed by the dotted line is proposed to be rezoned by eliminating C1-3 and C2-3 Districts from an existing R6 District, changing R6, R7A, M1-2 and C4-3 Districts to R6A, R6B, R7A, R7B, R8A, C4-3A and C8-2 Districts, and by establishing C1-4 and C2-4 Districts within the proposed R6A, R6B, R7A R8A Districts and by establishing a C2-4 District within an existing R8B District.
- Indicates a C1-3 District.
- Indicates a C1-4 District.
- Indicates a C2-3 District.
- Indicates a C2-4 District.
- Indicates a City Environmental Quality Review Declaration, refer to C.E.Q.R. sheet.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

**Community / Borough Board
Recommendation**

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
Fax # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address
2. Send a copy of the completed form with any attachments to the applicant's representative as indicated on the Notice of Certification, one copy to the Borough President, and one copy to the Borough Board, when applicable.

APPLICATION # C 030194 ZMK

DOCKET DESCRIPTION

"See Attached"

COMMUNITY BOARD NO. 6

BOROUGH Brooklyn

BOROUGH BOARD _____

DATE OF PUBLIC HEARING December 19, 2002

LOCATION John Jay High School
237 7th Avenue
Brooklyn, NY 11215

WAS QUORUM PRESENT? X YES _____ NO

(A public hearing shall require a quorum of 20% of the Appointed members of the board, but in no event fewer than seven such members.)

VOTE ADOPTING RECCOMENDATION TAKEN

DATE January 8, 2003

LOCATION Public School 27
27 Huntington Street
Brooklyn, NY 11231

RECOMMENDATION

X APPROVE _____ APPROVE WITH MODIFICATION / CONDITIONS
_____ DISAPPROVE _____ DISAPPROVE WITH MODIFICATIONS / CONDITIONS

EXPLANATION OF RECOMMENDATION - MODIFICATION / CONDITIONS (Attach additional sheets if necessary)

"See Attached"

VOTING

IN FAVOR 32 AGAINST 4 ABSTAINING 1

TOTAL MEMBERS APPOINTED TO BOARD 47

Craig R. Hammerman
COMMUNITY / BOROUGH BOARD OFFICER

January 10, 2003
DATE

District Manager
TITLE



THE CITY OF NEW YORK **COMMUNITY BOARD SIX**

Marty Markowitz
Borough President

Jerry Armer
Chairperson

Craig Hammerman
District Manager

January 13, 2003

Amanda M. Burden, A.I.C.P.
Chairperson
City Planning Commission
22 Reade Street
New York, New York 10007

Re: Park Slope Rezoning
ULURP No. C 030194 ZMK

Dear Chairperson Burden:

We are writing to advise you that at its January 8, 2003 general meeting Community Board 6 overwhelmingly resolved to support the Department of City Planning's Park Slope Rezoning plan that seeks to amend the City zoning map for a 110 block area in the Park Slope section of our district.

After several briefings by representatives for the department, our Landmarks/Land Use Committee held a Public Hearing on December 19, 2002. At our hearing 7 speakers registered to testify in support of the plan and 4 in opposition. In general, the community was unified in its support of the basic protection aspects of the plan. The proposed mid-block height limitations, setback requirements and curb-cut restrictions will go far in ensuring that these low-rise row house brownstone neighborhood elements will be preserved for future generations to enjoy. Such characteristics have significantly contributed to making Park Slope one of the most desirable residential communities in the City of New York.

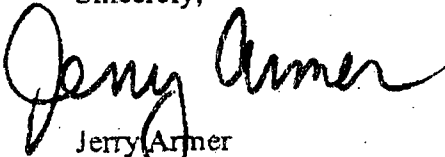
The element of the plan that generated the most focused discussion was the proposed upzoning of the 4th Avenue corridor from R7A and R6 to an R8A zoning designation. We understood the intent of the upzoning is to provide greater opportunities for increased housing production on this wide street. The challenge put to us was to find a way to encourage future developers to include a mix of housing units, specifically affordable housing, as a way of preserving the socioeconomic diversity similarly characteristic of Park Slope. In a subsequent motion by the Community Board, and by copy of this letter, we are urging the Administration to explore options for creating affordable housing on 4th Avenue, with the goal that 20% of the new units developed along 4th Avenue be affordable to low- and moderate-income families.

Since we have been lobbying the department for the past decade to protect the neighborhood character of Park Slope from pressures to overdevelop, we would be remiss if we did not use this opportunity to express our gratitude to you for moving this plan forward. Your personal interest in this plan, as evidenced by your recent visit to our last general meeting, illustrated a commitment that has gone neither unnoticed nor unappreciated. In this spirit, we are compelled to recognize two individuals who have professionally represented your agency with verve and conviction, namely, Regina Myer, Director of the Brooklyn Office, and Kristin Guild, our planning liaison at the Brooklyn Office. Had it not been for your collective efforts we believe that the Park Slope Rezoning plan may still just be "a good idea" on the books, and not the subject of a ULURP action that it is today.

We are pleased to offer our unconditional support for the Park Slope Rezoning plan and encourage its swift adoption as presented.

Thank you for the opportunity to comment.

Sincerely,



Jerry Arner
Chairperson



Craig R. Hammerman
District Manager

cc: Hon. Michael R. Bloomberg
Deputy Mayor Daniel Doctoroff
Hon. Marty Markowitz
Hon. Bill de Blasio
Hon. David Yassky
Hon. Sara M. Gonzalez
Regina Myer, DCP/Brooklyn Office
Bernard Graham, Park Slope Civic Council

**Brooklyn Borough President
Recommendation**

10007

CITY PLANNING COMMISSION

22 Reade Street, New York, NY

FAX # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicants representatives as indicated on the Notice of Certification.

APPLICATION # 030194 ZMK

DESCRIPTION Park Slope Rezoning

COMMUNITY DISTRICT NO.

6

BOROUGH OF BROOKLYN

RECOMMENDATION

- APPROVE
 APPROVE WITH MODIFICATIONS/CONDITIONS
 DISAPPROVE
 DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION - MODIFICATIONS/CONDITIONS

- RECOMMENDATION ATTACHED
 RECOMMENDATION TO FOLLOW


BOROUGH PRESIDENT

February 12, 2003

DATE

**PRESIDENT OF THE BOROUGH OF BROOKLYN
RECOMMENDATION REPORT
PARK SLOPE REZONING
030194 ZMK
BROOKLYN COMMUNITY DISTRICT 6**

The Department of City Planning (DCP) has submitted an application to rezone a section of Park Slope located generally between Third Avenue and Prospect Park West and between Union and 15th Streets, and the frontages along Fourth Avenue north to Baltic Street. The rezoning is designed to preserve the historic scale of the brownstone neighborhood along the mid-blocks and non-commercial avenues. It would limit the height of potential development along neighborhood commercial avenues. Finally, the proposal provides opportunities for increased housing development along Fourth Avenue.

PUBLIC HEARING

The Borough President held a public hearing on this item on January 16, 2003. A representative of DCP presented the application.

The Borough President expressed an interest in why certain blocks containing residential properties on the west side of Fourth Avenue, such as those from Union to Carroll Streets, were excluded from the rezoning. The representative responded that the proposal was as extensive as the agency could pursue at this time. She added that it might be logical to next evaluate for rezoning the frontages along Fourth Avenue in the Manufacturing District.

In response to the Borough President's question of whether the city was taking any steps to inform prospective developers of the affordable housing initiatives in the housing plan recently announced by the Mayor, the representative stated that the agency has had preliminary discussions with the Department of Housing Preservation and Development (HPD) and the Housing Development Corporation (HDC) about sponsoring a summit for developers in Brooklyn. It was suggested that perhaps the Borough President could play a lead role in such a summit.

The Borough President expressed his interest in providing a forum for an informational summit. He noted the need to create housing for uniform service employees, teachers and single adults seeking a living environment among other singles. He further advocated for an architectural style along Fourth Avenue that was distinctive of Brooklyn.

There were four speakers on this item, including Council Member Yassky, the District Manager of Community Board 6 and a representative of the Fifth Avenue Committee (FAC). All were generally supportive of the application by DCP. However, there was not consensus on the methods by which to increase the zoning density along Fourth Avenue. Some expressed the opinion that the 1991 rezoning of Fourth Avenue north of Union Street had not resulted in housing production because it did not provide sufficient density. Others believed that the proposal might result in secondary displacement and also lacked a means to achieve affordable housing in any redevelopment. One speaker contended that financial incentives are not sufficient

to induce developers to provide for affordable housing, and that zoning should also be used as a tool. It was suggested that R7A be put into effect first and then changed to R8A along with a text providing an incentive to include affordable housing. Such techniques, it was noted, have been implemented successfully in other municipalities.

When asked by the Borough President for a response to suggestions made by speakers, the representative from DCP responded that incentive based zoning has produced merely 400 units in the decade since it has been available. She also noted that typical Brooklyn rents would not encourage developers to pursue any incentives. It was also noted that there was a concern that using limited funds to provide affordable housing units in Park Slope would adversely impact areas where there is no market-rate construction and where such funds produce the only housing developed in those neighborhoods.

The Borough President's Director of Planning and Development noted that at the Borough President's request, HDC was preparing a financial analysis of a typical site in the Park Slope rezoning area. He asked whether any financial analysis had been prepared to support the position that incentive zoning would be attractive to developers. The representative of FAC had looked at rental models and expressed a desire to be engaged with DCP, developers and others to come to an agreement on a credible model.

CONSIDERATION

On January 8, 2003, Community Board 6 voted to recommend approval of this application.

The Borough President supports efforts that prevent further construction of buildings that conflict with the historic brownstone character and scale of Park Slope. The proposed application would maintain neighborhood character through mapping zoning districts that restrict height and in specific areas, reduce the allowable density.

The proposal also seeks to increase density along Fourth Avenue as a means to facilitate housing production in Brooklyn.

There is a need for housing production in Brooklyn, and Fourth Avenue is a suitable place to provide for the enlargement of the Park Slope community. The Borough President believes that Fourth Avenue should be redeveloped as a "grand residential boulevard." The width of the street and the mass transit access support the transformation of this corridor into such a boulevard, in the spirit of Ocean Parkway.

While the Mayor's housing plan is generally excellent for achieving affordable housing in rental developments, the Borough President believes that the new housing developed on Fourth Avenue will be market-rate ownership units. Unfortunately, the Mayor's program does not directly address moderate-income ownership housing that is anticipated development along Fourth Avenue.

The strong real estate market in sections of Brooklyn and specifically in Park Slope supports sales prices that appear to significantly exceed development costs. In fact, development along

Fourth Avenue and certain mid-blocks between Fourth and Fifth avenues is proceeding even with the existing R6 zoning.

These strong real estate forces have been eroding the opportunities for those having low- or moderate-incomes to remain in their neighborhood. New developments along Fourth Avenue are likely to be catalysts for the upward spiraling of rents, fueled by an influx of upper middle-income residents to the area who are likely to be able to pay more for housing than current residents. Much of Park Slope's rental housing stock is in buildings that are too small to be protected by the regulations of rent stabilization and therefore are subject to rent increases that significantly exceed the increases governed by the Rent Guidelines Board. Development for higher-income households along Fourth Avenue is likely to bring about more households willing to pay higher rents for these non-stabilized apartments, which would likely hasten secondary displacement in the area.

While not replacing every formerly lower income unit lost through secondary displacement, an inclusionary housing zoning text incentive, combined with other incentives, can provide the means to result in new housing opportunities for those with lower incomes to live in the area.

It is the Borough President's policy to seek the inclusion of affordable housing whenever the purpose of a ULURP application that comes before him is to facilitate housing development. During the course of his tenure as Borough President, he has received commitments for more than 50 units at both the Atlantic-Court garage site and at the former Domsey site in Williamsburg.

Since one of the objectives of the Park Slope rezoning is to facilitate new housing development, it is appropriate to provide affordable housing through incentives linked to a zoning text amendment, combined with real estate and transfer tax and permitting fee modifications, to achieve the inclusion of units affordable to the median income of area residents.

The City has noted that the inclusionary housing zoning text model used in Manhattan would not be economically viable for Brooklyn. In fact, at a recent joint meeting of the City Council Housing and Buildings and Waterfront Committees, HPD stated its concern that linking zoning with affordable housing would stifle housing development.

The Borough President believes that an approach can be conceived that would encourage the construction of housing, even with the inclusion of affordable housing units. Many other municipalities have successfully demonstrated through very different zoning approaches that linking affordable housing to new development does not deter housing construction.

The Borough President believes that the city should thoroughly investigate the proposal put forth by Council Member DeBlasio and the Fifth Avenue Committee. This model allows the developer to build up to an R7A density without providing any affordable housing units. To achieve the extra density permitted by R8A, half of the additional space would need to be devoted to affordable units.

If properties were to be rezoned to R8A in lieu of R7A, property owners would ask for higher prices when selling. However, by linking increased density to affordable housing, the additional floor area is not likely to increase the land purchase price paid by developers. Maintaining reasonable property values allows developers to meet the affordable housing requirement while still substantially profiting on the additional market rate units. The Borough President believes that this would result in a cost savings by itself of \$50,000 to \$100,000 on the added market rate units.

The Borough President acknowledges that there are three sites-ready to be developed as soon as a rezoning is approved for Fourth Avenue. It is anticipated that these sites are not likely to be induced to wait for a possible benefit of more density that could be achieved through inclusionary housing bonus. Rezoning these sites now to R7A would result in loss of 150 units. These units are likely only constructed if a certain cluster of blocks along Fourth Avenue is rezoned to R8A. Therefore, the Borough President believes that the section of Fourth Avenue between President and to Fifth Street should be rezoned as proposed by DCP. He urges the developers of these sites to voluntarily include some affordable units in these developments.

The remainder of sites along Fourth Avenue likely to be developed pursuant to any rezoning needs several years to be assembled and/or to be marketable for sales/rental prices to support development costs. Therefore, by changing the zoning to R7A, no units are anticipated to be lost for the next several years.

Immediately after the adoption of the Park Slope rezoning as amended, the City should prepare an inclusionary text in consultation with developers, financiers, housing advocates and other experts. Such a text should be developed in a timely manner so that the majority of the potential development sites along Fourth Avenue can achieve R8A density.

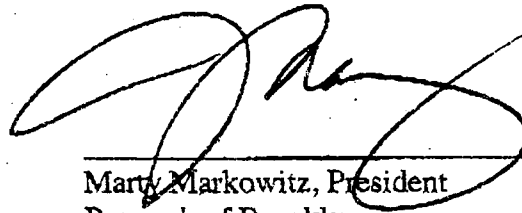
The rezoning of Fourth Avenue as proposed also brings attention to areas omitted from this proposal. Block fronts along the west side of Fourth Avenue, between Sackett and Sixth Street, were not included in the proposed rezoning. Several of these frontages are already predominantly residential. Others contain sites that are occupied by one-story uses similar to those that DCP identified as likely to be converted to housing. For this section of Fourth Avenue to truly achieve status as a grand residential boulevard, these addition areas along Fourth Avenue should be analyzed by DCP for their potential to provide more opportunities to facilitate housing.

RECOMMENDATION

Be it resolved, that the President of the Borough of Brooklyn, pursuant to section 197-c of the New York City Charter, and based upon the consideration described in this report, recommends approval of this application by the City Planning Commission and/or the City Council with a condition that the proposed R8A zone on Fourth Avenue, north of President Street and South of Fifth Street, be zoned R7A.

Be it further resolved that the Borough President calls on:

- 1) The City Planning Commission and City Council to adopt a zoning text amendment that restricts R8A as-of-right development in the area along Fourth Avenue, between Baltic and 15th Streets, to R7A bulk standards, except that for each square foot of building set aside for affordable housing, an additional square foot of unrestricted housing may be provided according to R8A minimum and maximum bulk standards; and
- 2) The Department of City Planning to evaluate the frontages along the west side of Fourth Avenue between Sackett and Fifth Streets for residential rezoning.



Marty Markowitz, President
Borough of Brooklyn